

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MICROSOFT CORPORATION, a Washington  
corporation,

Plaintiff,

v.

THE SOFTWARE KING, an unknown business  
entity, BIZIGNITION TECHNOLOGIES, INC.,  
a Canadian corporation, ROGER HARDY, an  
individual, WINSTON CABELL, an individual,  
and NICHOLAS BOZIKIS, an individual ,

Defendants.

No. 2:16-cv-01899-RSM

STIPULATED MOTION AND  
ORDER TO EXTEND TRIAL  
AND RELATED DATES

Defendants BizIgnition Technologies, Inc., Roger Hardy, and Nicholas Bozikis (collectively, the "BizIgnition Defendants"), Defendant Winston Cabell ("Cabell"), and Plaintiff Microsoft Corporation ("Microsoft") (collectively, the "Parties") jointly and respectfully request that the Court extend the Trial Date and all related dates except the mediation deadline by four months.

The Order Setting Trial Date and Related Dates (Dkt. No. 23) was entered on July 6, 2017. The BizIgnition Defendants moved to substitute counsel on September 25, 2017. Dkt. No. 28. The Court granted that motion on the following day. Dkt. No. 29. The Parties request this extension so replacement counsel can continue its familiarization with the facts and circumstances of the case, including the ongoing discovery efforts by the Parties. Further, the Parties request this extension to facilitate their continuing good faith efforts toward settlement

1 of this dispute, including continuing efforts to coordinate a mediation date at the end of April  
2 or early May 2018. Thus, for the foregoing reasons, the Parties request that the trial date of  
3 October 15, 2018, be extended by a period of four months (according to the Court's availability)  
4 and all related dates except the mediation deadline be continued accordingly, with the proposed  
5 dates as follows:

<b>Deadlines</b>	<b>Current Scheduled Dates</b>	<b>Proposed New Dates</b>
<b>JURY TRIAL DATE</b>	October 15, 2018	February 11, 2019
Disclosure of expert testimony under FRCP 26(a)(2)	March 16, 2018	July 13, 2018
Discovery motions filing deadline	April 18, 2018	August 17, 2018
Discovery completed by	May 18, 2018	September 14, 2018
Dispositive motions filing deadline	June 15, 2018	October 12, 2018
Motions in limine filing deadline	September 17, 2018	January 17, 2019
Agreed pretrial order due	October 3, 2018	January 30, 2019
Trial Briefs, proposed voir dire questions, and jury instructions due	October 10, 2018	February 6, 2019

1 STIPULATED and AGREED TO this 16th day of March, 2018.

2  
3 s/ Brian F. McMahon

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6 James W. Anable, WSBA No. 7,169  
7 Brian F. McMahon, WSBA No. 45,739  
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19 *Technologies, Inc., Roger Hardy, and*  
20 *Nicholas Bozikis*

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## ORDER

Based on the foregoing Stipulated Motion, the Court orders that the Stipulated Motion and Order Requesting an extension of the Trial Date and related dates is granted. The trial date of October 15, 2018, is extended by a period of four months (according to the Court's availability) and all related dates except the mediation deadline are continued accordingly, with the (proposed) dates as follows:

Deadlines	New Dates
<b>JURY TRIAL DATE</b>	February 11, 2019
Disclosure of expert testimony under FRCP 26(a)(2)	July 13, 2018
Discovery motions filing deadline	August 17, 2018
Discovery completed by	September 14, 2018
Dispositive motions filing deadline	October 12, 2018
Motions in limine filing deadline	January 17, 2019
Agreed pretrial order due	January 30, 2019
Trial Briefs, proposed voir dire questions, and jury instructions due	February 6, 2019

IT IS SO ORDERED

Dated this 20 day of March 2018.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

1 Presented by:

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3 Brian F. McMahon

4 John D. Denkenberger, WSBA No. 25,907

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